REMARKS

Reconsideration and allowance are respectfully requested.

The specification has been amended to incorporate the proper headings under 37 CFR 1.77(b).

Applicant respectfully traverses the rejections to the claims as met in view of KUMAR et al. (US 5,477,941), SIEVENPIPER (US 5,285,871) and ZDVORAK (US 5,960,625) for the following reasons.

The present invention is directed to a lubrication system comprising a reservoir of lubricant wherein the lubrication system includes scavenge means to remove surplus lubricant from around each component and return it to said reservoir as expressly claimed in independent claims 1, 14 and 15.

KUMAR et al. discloses a lubrication system for applying lubricant to curved and tangent railroad tracks. The "scoop 16" identified by the Examiner in the Office Action dated March 15, 2006, is in fact a nozzle wherein by incorporating the lubrication system of KUMAR et al. "accurate quantities of the lubricants can be applied to the rail so that when the last car of the train has passed a certain location, no TOR lubricant is left on the rail head" (Column 6 lines 37-42). Therefore, the "scoop 16" does not act as a scavenge system which collects unused lubricant and hence, KUMAR et al. does not anticipate the present invention as claimed. Furthermore, KUMAR et al. does not teach or even mention removing surplus lubricant and returning it to a reservoir.

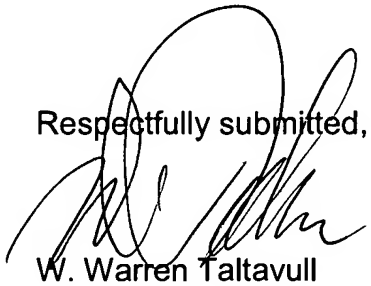
With respect to the 103 rejection to claim 7 as met in view of KUMAR et al. in further view of SIEVENPIPER, the accumulator of SIEVENPIPER differs from the accumulator of the present invention. Firstly, KUMAR et al. does not anticipate the present invention given the arguments presented above and claim 7 depends on claim 1. Secondly, the accumulator of the present invention, as claimed in claim 7, is used to smooth the fluctuations in the pressure arising out of the pulsative delivery of the lubricant. The accumulator of SIEVENPIPER is "charged, or recharged, while the pump is operating and, when the motor is de-

engergized to stop the pump, the accumulator operates to continue application of pressure to the pressurizing cylinder to feed lubricant from the lubricant container to the injector cylinders" (Column 5 lines 9-22). It should be noted that the accumulator of SIEVENPIPER has no relation to smoothing the fluctuations in pressure arising out of the pulsative delivery of the lubricant, but instead is used to ensure the continued feed of lubricant to the injectors after the motor is de-energized. Therefore, claim 7 is not unpatentable over KUMAR et al. in view of SIEVENPIPER.

Regarding the 103 rejection to claim 13 in view of KUMAR et al. in further view of ZDVORAK, KUMAR et al. does not anticipate the present invention provided the arguments presented above and a person of ordinary skill who combines the patents to KUMAR et al. and ZDVORAK would not obtain the invention claimed in claim 13.

Entry of this amendment is solicited and is believed appropriate since the arguments above are believed to distinguish the invention from the cited references. For the foregoing reasons, reconsideration and allowance are believed in order and are solicited.

Respectfully submitted,



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